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WINSTON &amp; STRAWN DOCKET NO.: 81441-300

002

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ORIGINALLY FILED

## DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## HIGH PERFORMANCE ELASTOMER-CONTAINING CONCRETE MATERIAL

and for which a patent application:

- is attached hereto and includes amendment(s) filed on \_\_\_\_\_ (if applicable)  
 was filed in the United States on January 4, 2002 as Application No. \_\_\_\_\_ (declaration not accompanying application) with amendment(s) filed on \_\_\_\_\_ (if applicable)  
 was filed as PCT international Application No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE
60/259,711	January 5, 2001

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

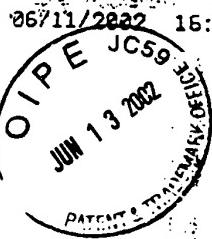
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2	FULL NAME OF INVENTOR	LAST NAME		FIRST NAME	MIDDLE NAME
		FRENKEL		David	Yakovlevich
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	SIGNATURE OF DAVID YAKOVLEVICH FRENKEL				DATE
	<i>Frenkel D. Y.</i>				April 3, 2002
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	SIGNATURE OF INVENTOR 205				DATE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Yakovlevich FRENKEL

Application No.: 10/039,473

Group Art Unit:

Filing Date: January 4, 2002

Examiner:

For: HIGH PERFORMANCE ELASTOMER-  
CONTAINING CONCRETE MATERIAL

Attorney Docket No.: 81441-300

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) of WINSTON & STRAWN (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone (212) 294-3311, facsimile (212) 294-4700).

An assignment of the entire interest in the above-identified subject application is submitted herewith for recording. The undersigned has reviewed this assignment and, to the best of his knowledge, title is in the assignee seeking to take action in this application and that he is empowered to act on its behalf.

TRI-GLOBAL/MONOFLEX VENTURES LLC

Signature:

Type of Name:

Vitaly Prus

Position/Title:

President

Address:

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Dated:

June 12, 2002

NY 42000000